

**AGENDA**



**Recommendation for Council Action**

Austin City Council	<b>Item ID</b>	31430	<b>Agenda Number</b>	3.
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<b>Meeting Date:</b>	3/20/2014	<b>Department:</b>	Austin Water Utility
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**Subject**

Authorize the negotiation and execution of a cost participation agreement with S.R. Development for the City to reimburse the developer for an amount not to exceed \$95,440.80 in costs associated with the design and construction of an oversized wastewater interceptor and appurtenances related to Service Extension Request No. 3269 that will provide wastewater service to a western portion of the Moore’s Crossing Municipal Utility District development located along Elroy Rd between SH 130 and McAngus Rd.

**Amount and Source of Funding**

Funding is available in the Fiscal Year 2013-2014 Capital Budget of the Austin Water Utility.

**Fiscal Note**

A fiscal note is attached.

<b>Purchasing Language:</b>	
<b>Prior Council Action:</b>	
<b>For More Information:</b>	Phillip Jaeger, 972-0232; Denise Avery, 972-0104
<b>Boards and Commission Action:</b>	Recommended by the Water and Wastewater Commission on March 12, 2014 on a 7-0-0-0 vote.
<b>MBE / WBE:</b>	
<b>Related Items:</b>	

**Additional Backup Information**

The western portion of the Moore’s Crossing Municipal Utility District (“MUD”) development, consisting of approximately 398 acres of land generally located along Elroy Road between State Highway 130 and McAngus Road (the “Property”) and entirely within the City of Austin’s limited purpose (planning, zoning, health, and safety) jurisdiction is proposed to ultimately include 813 single-family residences, 750 multi-family units, 340 recreational vehicle lots, 336,000 sq. ft. office/warehouse, 124,500 sq. ft. retail, and an elementary school. S.R. Development (the “Applicant”) requested that the City provide wastewater utility service to the Property as proposed in Service Extension Request (SER No. 3269) so that the privately owned and maintained lift station currently serving the Property can be relieved. The Applicant requested to decommission the lift station to eliminate the pumping costs and the operation and maintenance costs associated with injecting bioxide to treat the hydrogen sulfide gases at the lift station. The Property is within the City’s Impact Fee Boundary, Austin Water Utility’s (AWU) service area, the Desired Development Zone, and the Dry Creek East Watershed. AWU will provide retail water and wastewater service to new development within the Property.

In accordance with Chapter 25-9 of the City Code, the City has asked the Applicant to oversize the gravity wastewater main in order to serve additional properties within the Dry Creek drainage basin in accordance with the City's long range planning goals for this area.

The proposed oversized improvements include construction of approximately 1,900 feet of 21-inch gravity wastewater main from the 30-inch gravity wastewater interceptor located along Dry Creek and extend west to McAngus Road.

The City will reimburse the Applicant for an overall total amount not to exceed \$95,440.80. The percentage breakdown of the cost participation by project component is:

- For costs of the 21-inch gravity wastewater main (oversized pipe diameter from an 18-inch to 21-inch) and appurtenances, the City's maximum participation consist of: (1) hard costs, in an amount not to exceed 14% of the hard costs of the 21-inch gravity wastewater main and appurtenances, and (2) soft costs, in an amount not to exceed 15% of the City's hard cost participation amount.

Other terms of the agreement will provide that the Applicant will:

- Bear all costs for financing, interest, fiscal security, accounting, insurance, inspections, permitting, easement acquisition, legal services, and other non-reimbursable soft costs associated with the project;
- Conform to the City's design criteria and construction standards;
- Construct all improvements at their cost and, after the City's final approval of the construction, dedicate the facilities to the City for ownership, operation, and maintenance;
- Meet applicable M/WBE goals and policies established by City Code Chapter 2-9A;
- Allow the City to use the project plans and specifications approved by Austin Water's Director to solicit and publish invitations for bids for the construction of the improvements; and
- Follow standard City bidding practices and procedures.